

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 37-70 and were under consideration in the application, of which Claims 37, 47, 58, 69, and 70 are independent. Claims 1-36 and 71-140 were previously withdrawn from consideration. In the Final Office Action dated August 12, 2003, Claims 37-70 were rejected under 35 U.S.C. §102(b). Following this amendment, Claims 37-70 remain under consideration in this application.

I. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Final Office Action, the Examiner rejected Claims 37-70 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,292,709 ("Uhl"), U.S. Patent No. 5,249,687 ("Rosenbaum"), U.S. Patent No. 5,667,078 ("Walach"), and U.S. Patent No. 5,518,122 ("Tilles"). Claims 37, 47, 58, 69, and 70 have been amended to further define and clarify the invention, and Applicants respectfully submit that these amendments overcomes this rejection. Support for these amendments can be found in the specification, at least on page 17, lines 7-15.

Amended Claim 47 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "determining that a first code previously placed on the mailpiece has become illegible, the first code containing data used to deliver the mailpiece" and "receiving data from the identification code and reconstructing the illegible first code using the received data." Amended Claims 37, 58, 69, and 70 each include similar recitations.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

*Uhl, Rosenbaum, Walach, and Tilles* disclose mail processing systems. However, neither *Uhl, Rosenbaum, Walach*, nor *Tilles*, either individually or in combination, disclose or suggest "determining that a first code previously placed on the mailpiece has become illegible, the first code containing data used to deliver the mailpiece" or "receiving data from the identification code and reconstructing the illegible first code using the received data", as recited in amended Claim 47. Amended Claims 37, 58, 69, and 70 each include similar recitations. Accordingly, independent Claims 37, 47, 58, 69, and 70 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 37, 47, 58, 69, and 70.

Dependent Claims 38-46, 48-57, and 59-68 are also allowable at least for the reasons above regarding independent Claims 37, 47, and 58, and by virtue of their respective dependency upon independent Claims 37, 47, and 58. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 38-46, 48-57, and 59-68.

## II. Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)

In view of the foregoing, Applicants respectfully submit that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: January 9, 2004

By: \_\_\_\_\_

D. Kent Stier  
Reg. No. 50,640  
(404) 653-6559

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)